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9 Attorneys for Plaintiffs

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 CORNELIUS CLARK, CHESTER LEWIS,
15 JOHN PONDS, AND GARRANT COSEY, on
behalf of themselves and all other persons
16 similarly situated,

17 Plaintiffs,

18 vs.

19 ANNA'S LINENS, INC.,

20 Defendant.

Case No. C05-02670-MMC

**JOINT CASE MANAGEMENT
CONFERENCE STATEMENT ; ORDER**

Hon. Maxine M. Chesney

Date: December 19, 2008
Time: 10:30 a.m.

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11 Attorneys for Defendant
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1 On November 17, 2008, the Court issued an Order requiring the parties to submit a Joint Case
 2 Management Conference Statement regarding settlement status no later than December 12, 2008 and
 3 scheduling another case management conference for December 19, 2008. *See* Dkt. No. 172. Plaintiffs
 4 Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey (“plaintiffs”) and Defendant Anna’s
 5 Linens, Inc. (“Anna’s Linens”), by and through their counsel of record, jointly submit this Joint Case
 6 Management Conference Statement.

7 The settlement agreement between Anna’s Linens and the EEOC to resolve the claims of
 8 charging parties represented by plaintiffs’ counsel that are not parties to this litigation has been fully
 9 executed. Plaintiffs’ counsel is in the process of securing signatures on the private parties’ settlement
 10 agreement in this action. Monetary payments provided for under the settlement agreement are to be
 11 made within 30 days after Anna’s Linens receives the agreement executed by plaintiffs and their
 12 counsel. Thereafter, plaintiffs have seven business days to move to dismiss their individual claims
 13 with prejudice and class claims without prejudice. Plaintiffs thus estimate that they should be in
 14 position to file a motion to dismiss in this action prior to the end of January 2009. Plaintiffs request
 15 that the Court reschedule the status conference currently set for December 19, 2008 to January 30,
 16 2009 in the unlikely event that the parties require the Court’s assistance.

17 Dated: December 12, 2008

Respectfully submitted,

18 GOLDSTEIN, DEMCHAK, BALLER, BORGAN &
 19 DARDARIAN

20 /s/ Roberta L. Steele
 21 TERESA DEMCHAK (SB #123989)
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ATTORNEYS FOR PLAINTIFFS

7 Dated: December 12, 2008

/s/ Brian P. Maschler

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ATTORNEYS FOR DEFENDANT

IT IS SO ORDERED. Specifically, the status conference is CONTINUED from December 19, 2008 to January 30, 2009. A Joint Status Report shall be filed no later than January 23, 2009.

Dated: December 15, 2008


United States District Judge